

Filed for intro on 01/28/98  
SENATE BILL 3021 By  
Harper

HOUSE BILL 2646  
By West

AN ACT to amend Tennessee Code Annotated, Section 68-10-116,  
relative to exposure to hepatitis B or HIV viruses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-10-116, is amended in subsection (a) by deleting the language "law enforcement officer" and by substituting instead the language "full-time law enforcement officer, state certified security officer/guard, correction officer, or probation officer in the performance of such officer's duties with a full-time law enforcement officer".

SECTION 2. Tennessee Code Annotated, Section 68-10-116(b), is amended by deleting subsection (b) in its entirety and by substituting instead the following:

(b) Such testing shall occur at a licensed health care facility with the cost to be paid by the person arrested, transported or processed who is charged with the commission of a criminal offense. Any person, acting at the written request of any officer in subsection (a), who withdraws blood from a person for the purpose of making such test, shall not incur any civil or criminal liability as a result of the withdrawing of such blood, except for any damages that may result from the negligence of the person so withdrawing. Nor shall the hospital or licensed health care facility incur, except for negligence, any civil or criminal liability as a result of the act of withdrawing blood from any person. The result of such testing shall be confidential provided that the officers in

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subsection (a) exposed to such blood or other body fluid shall have the right to request the results of such testing and the person providing such test results shall be immune to liability in the same manner as is provided in § 68-10-115.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.